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AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figures 2-3 and 6-7. These sheets replace the original drawing sheets for Figures 2-3 and 6-7.

In Fig. 2, the drawing was amended so that "34" points to the protrusion and "65" points to the spring, consistent with the specification. In Fig. 3, the reference numeral pointing to the connector was corrected to "44." In Fig. 6, reference numeral "80" pointing to the linear actuator has been added. In Fig. 7, the reference numeral pointing to the support was corrected to "160."

Attachments: Replacement Sheets for Figures 2-3 and 6-7

Annotated Sheets Showing Changes to Figures 2-3 and 6-7

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REMARKS

The current patent application has been reviewed in light of the non-final Office Action, dated July 5, 2006, (hereinafter "the office action"). In the office action, claims 1, 5, 6, 8-12, 19, and 21 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1, 5, 6, 8, 9, 11, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spaulding (US Pat. No. 3,301,117) in view of Kimura et al., hereinafter "Kimura" (US Pat. No. 4,965,733). Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the modified device of Spaulding in view of Samuelsson (US Pat. No. 4,604,802). Claims 12 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the modified device of Spaulding in view of Hall (US Pat. No. 4,864,906). Figures 2, 3, 6, and 7 of the drawings are objected to because of minor errors or omissions in numbering of elements. Entry and consideration of the above amendments and the following remarks is respectfully requested.

Claims 2-4, 7, 13-18, and 20 are withdrawn. Assignee maintains that independent claims 1 and 19 are generic claims and that the scope of the generic claims 1 and 19 additionally covers claims 2-4, 7, 13, and 20. If the generic claims 1 and 19 are found to be allowable, Assignee requests that the election requirement be removed and claims 2-4, 7, 13, and 20 be rejoined.

New claims 22-25 have been added. Support for the new claims is found, among other places, in Fig. 2 and paragraph [0022] of the specification. No new matter has been added.

Claims 1, 5, 9-12, 19, and 21 have been amended. Assignee has amended claims to more clearly delineate intended subject matter. The amendments to the claims are made without prejudice or disclaimer, and Assignee believes that none of these claim amendments constitute narrowing amendments. In fact, some of these claim amendments are intended to be broadening amendments. Accordingly, Assignee does not intend to surrender claimed subject matter by submission of the above amendments and no prosecution history estoppel should apply.

Claim Rejections – 35 U.S.C. § 112, first paragraph

Claims 1, 5, 6, 8-12, 19, and 21 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Assignee traverses the rejections.

It appears that because the Examiner misinterpreted the structure of the clamp and, more specifically, the clamp actuator, the Examiner could not understand “how the cam (64) acts against the protrusion (34) to cause the clamp to move up or down as described on page 6 of the specification.” First, the Examiner stated that “both the cam (64) and the protrusion (34) are located on the cam, therefore besides a pivotal connection between the cam (64) and the support (62) the clamp does not seem to be sufficiently attached to the support (62) to produce movement by pulling [handle] (66).” This is incorrect. As shown in Fig. 2 and as described on page 5, paragraph [0022], lines 6-8, “*clamp 30 includes a clamp body 32 having a protrusion 34, a pair of pins 36, and a post 38 extending from one end.*” (Emphasis added.) Further, on page 6, paragraph [0022], lines 10-14, “*a cam 64, a spring 65, and a handle 66...make up a clamp actuator. The cam 64 and handle 66 are fixed together and pivotally connected to the inside of the support body 62, the handle extending from the opening 69.*”

Next, the Examiner stated that “the A direction seems to be straight down, if the handle (66) were pulled down, it seems that the clamp would therefore have to rotate because of the pivot connection described above.” Again, this is incorrect. As described on page 6, paragraph [0022], lines 14-23, “[t]he spring 65 is connected between the protrusion 34 and the inside of the support body 62, and tends to push upwards on the protrusion 34. *When the handle 66 is moved in the B direction the cam 64 acts against the protrusion 34 to move the clamp 30 in the A direction, the pins 36 guiding the clamp 30 by way of the slots 68.* When the handle 66 is moved opposite the B direction, the spring 34 pushes the clamp 30 in opposite the A direction. In this way, the clamp 30 can be moved and locked to hold media to the base 20.” (Emphasis added.) Further, in paragraph [0022], lines 1-3, it clearly describes that the “support bodies 62, 72, pins 36, 76, and slots 68 prevent movement of the clamp 30 in all directions except the A direction (first direction) and opposite...” (Emphasis added.)

Thus, the Examiner has misinterpreted what is clearly described in the specification. Contrary to the Examiner’s assertions, support for the claims is found, among other places, in Fig. 2 and the accompanying text in the specification. Withdrawal of the rejections is respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1, 5, 6, 8, 9, 11, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spaulding (US Pat. No. 3,301,117) in view of Kimura et al., hereinafter “Kimura” (US Pat. No. 4,965,733).

Assignee traverses the rejections. MPEP § 2142 states:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Assignee submits that the Examiner failed to properly establish a *prima facie* case of obviousness because there is no teaching or suggestion to combine or modify the references in the manner suggested by the Examiner. Accordingly, the rejection under § 103(a) is improper and should be withdrawn.

Spaulding teaches a paper cutter consisting of a guide rail that is moved downwardly to clamp a sheet to be cut and a blade holder is moved along the guide rail to cut the sheet. As the Examiner acknowledged in the office action, Spaulding fails to teach the “linear actuator, driven by a transmission and a motor, to drive the cutting tool across the clamped surface.”

Kimura teaches a cutting apparatus to obliquely cut steel breaker members to be used in a tire on a belt conveyor. Kimura's cutting apparatus comprises a traveling mechanism having a traveling support member movable above a sheet-like material and a cutting device hanged from the traveling support member. Kimura teaches a motor to cause a belt to drive the traveling support member.

The Examiner asserts that it would have been obvious to modify the device of Spaulding to provide a motorized means to move the cutting member along the clamping member as taught by Kimura in order to allow “a user to stand away from the cutting device during the cutting process thereby preventing a user from cutting him or herself by accidentally sliding the cutting blade over his or her fingers.” However, there is no teaching or motivation to combine Spaulding and Kimura in the manner suggested by the Examiner. As asserted in Spaulding, the invention is “a sheet material cutter embodying a light-weight structural arrangement, the components of which are particularly economical to produce and

assemble, the device is simple and convenient to operate and *without any possibility of injury*, whereby the device can be used by children." See col. 1, lines 11-16 (emphasis added). Thus, there is no need to modify Spaulding to make it safer since "the arrangement *eliminates the possibility of the user of the device being cut by the blades 45.*" See col. 2, lines 71-72 (emphasis added).

Because the Examiner failed to properly establish a *prima facie* case of obviousness, the rejections under § 103(a) are improper and should be withdrawn.

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the modified device of Spaulding in view of Samuelsson (US Pat. No. 4,604,802).

Assignee traverses the rejection.

As discussed above, there is no teaching or motivation to combine Spaulding and Kimura in the manner suggested by the Examiner. Thus, claim 10, dependent on independent claim 1, is allowable because it depends from an allowable claim and recites further distinguishing limitations. Withdrawal of the rejection is respectfully requested.

Claims 12 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the modified device of Spaulding in view of Hall (US Pat. No. 4,864,906).

Assignee traverses the rejections.

As discussed above, there is no teaching or motivation to combine Spaulding and Kimura in the manner suggested by the Examiner. Thus, claims 12 and 21, dependent on claims 11 and 19, respectively, are allowable because they depend from allowable claims and recite further distinguishing limitations. Withdrawal of the rejections is respectfully requested.

It is noted that claimed subject matter may be patentably distinguished from the cited document for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Assignee's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

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CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in the present patent application are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at (503) 439-6500. Entry of this amendment and reconsideration of the present patent application in view of the same, and early allowance of all the claims is respectfully requested. Please charge any underpayments or credit any overpayments to deposit account no. 50-3703.

Respectfully submitted,

Dated: _____

6 Nov 2006

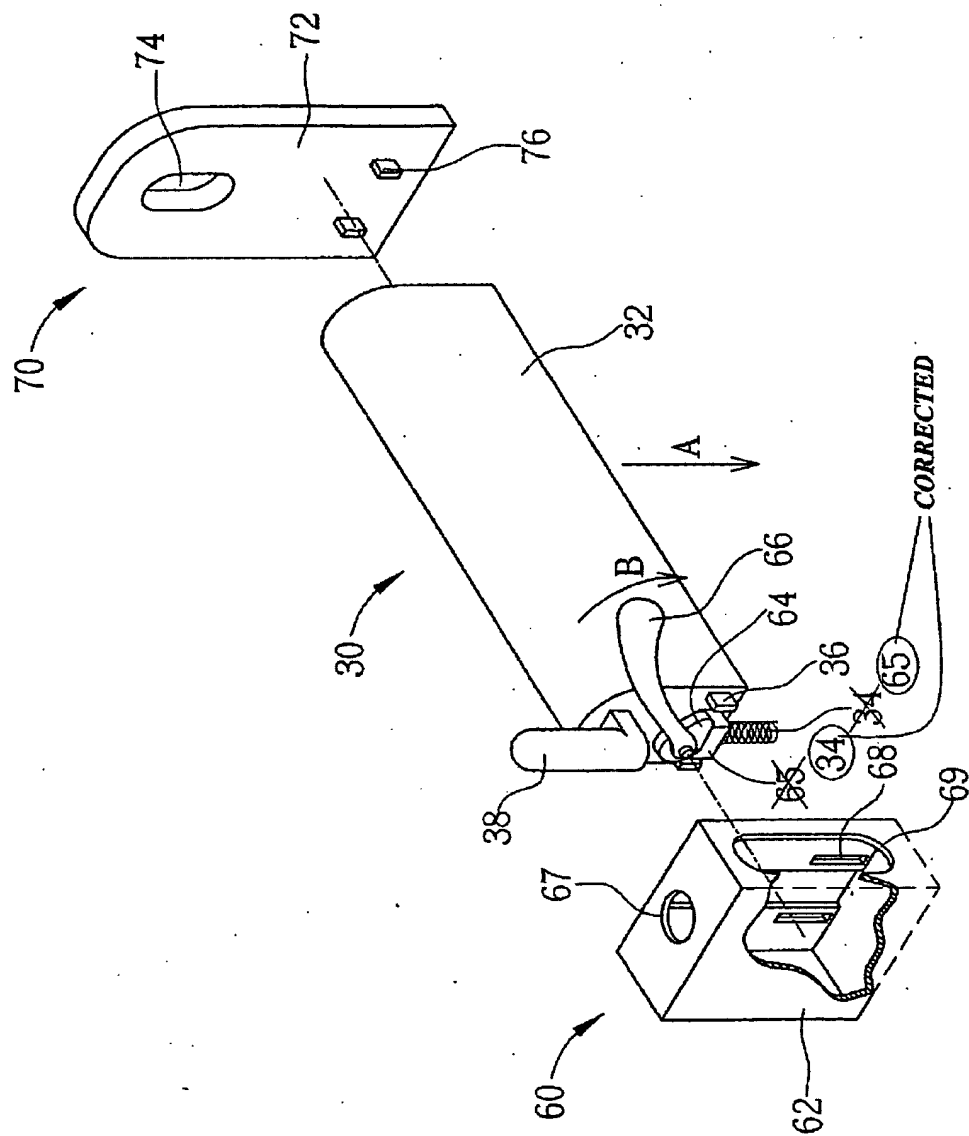
Celia C. Dunham

Celia C. Dunham
Reg. No. 49,041

Berkeley Law and Technology Group, LLC
1700 NW 167th Place, Suite 240
Beaverton, OR 97006
Telephone: 503-439-6500

Customer No. 43831

Annotated Sheet Showing Changes



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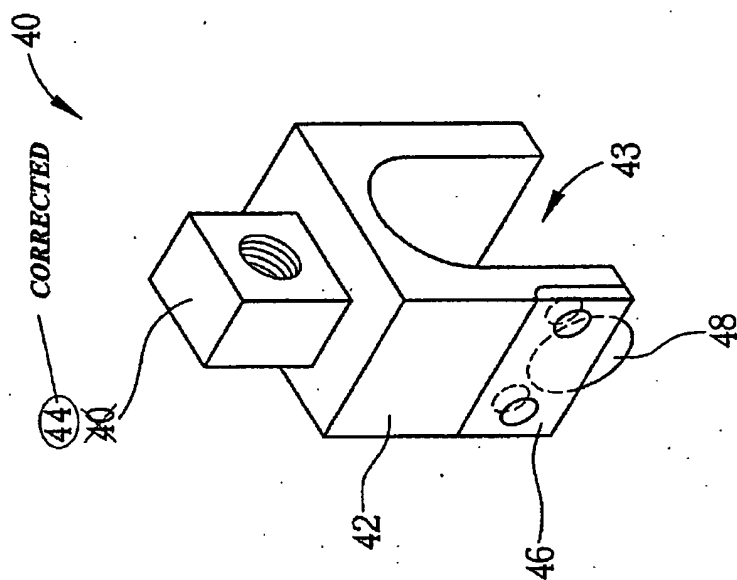


Fig. 3

Annotated Sheet Showing Changes

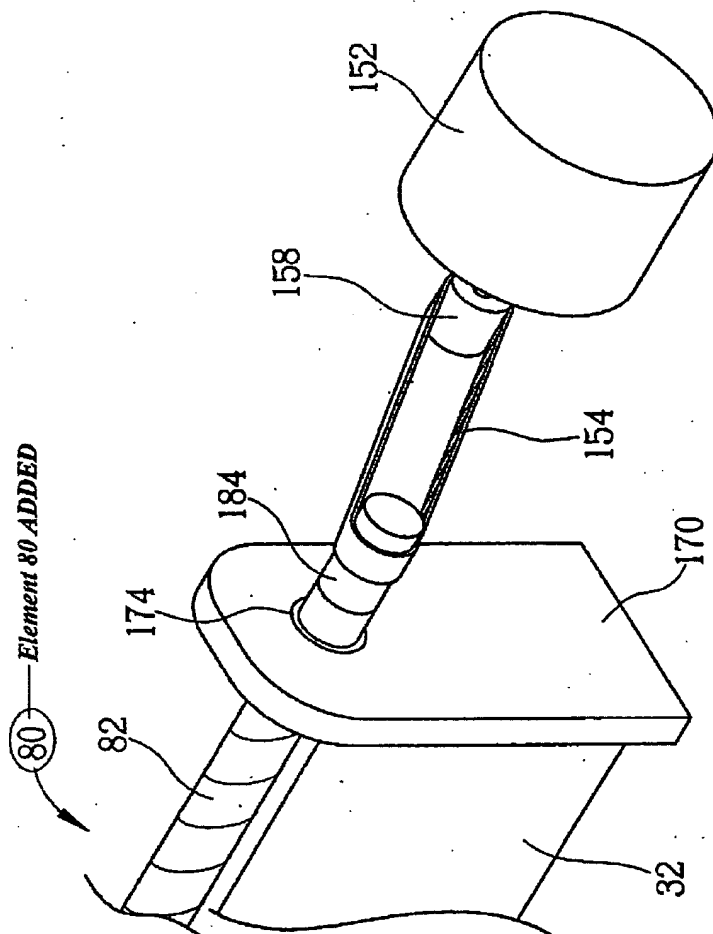


Fig. 6

Annotated Sheet Showing Changes

